



BY EMAIL and RESS

Jay Shepherd
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Dir. 416-804-2767

July 30, 2020
Our File: EB20190271

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Christine Long, Registrar & Board Secretary

Dear Ms. Long:

Re: EB-2019-0271 – Enbridge 2021 DSM Extension – SEC Cost Claim

We are counsel for the School Energy Coalition ("SEC"). We enclose SEC's cost claim in this matter on the Board's form with accompanying detailed dockets.

This was an application to extend the 2015-2020 DSM Plan by one year to the end of 2021. While the extension itself was largely uncontroversial, there were a number of parties that sought adjustments to the Plan for 2021. The proceeding involved interrogatories, a contested GEC motion for further responses, and final argument. We have included our time spent on the motion under the Interrogatories – Responses heading, as it related to that area.

Time spent assisting lead counsel Jay Shepherd by co-counsel Mark Rubenstein has not been claimed.

All of which is respectfully submitted.

Yours very truly,
Shepherd Rubenstein Professional Corporation

A handwritten signature in dark ink, appearing to read "Jay Shepherd", is written over a light blue horizontal line.

Jay Shepherd

cc: Wayne McNally, SEC (by email)
Interested Parties (by email)

Shepherd Rubenstein Professional Corporation | Regulatory Law
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Ontario Energy Board COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

This form should be used by a party to a hearing before the Board to identify the fees and disbursements that form the party's cost claim. Paper and electronic copies of this form and itemized receipts must be filed with the Board and served on one or more other parties as directed by the Board in the applicable Board order. Please ensure all required (yellow-shaded) fields are filled in and the Affidavit portion is signed and sworn or affirmed.

Instructions

- Required data input is indicated by yellow-shaded fields. Formulas are embedded in the form to assist with calculations.
- All claims must be in Canadian dollars. If applicable, state exchange rate and country of initial currency.

Rate: _____

Country: _____

- A separate "Detail of Fees and Disbursements Being Claimed" (comprising a "Statement of Fees Being Claimed" and a "Statement of Disbursements Being Claimed") is required for each lawyer, analyst/consultant and articling student/paralegal. However, only one "Summary of Fees and Disbursements" covering the whole of the party's cost claim should be provided.
- The cost claim must be supported by a completed Affidavit signed by a representative of the party.
- A CV for each consultant/analyst must be attached unless provided to the Board as prescribed on the Cost Award Tariff.

Except as provided in section 7.03 of the Practice Direction on Cost Awards, itemized receipts must be provided.

File # EB- **2019-0271**

Process: **Enbridge 2021 DSM Extension**

Party: **School Energy Coalition**

Affiant's Name: **Jay Shepherd**

HST Number: **83673-5464-RT0001**

HST Rate Ontario: **13.00%**

Full Registrant ☒
Unregistered ☐
Other ☐

Qualifying Non-Profit ☐
Tax Exempt ☐

Affidavit

I, **Jay Shepherd**, of the City/Town of **Toronto**
in the Province/State of **Ontario**, swear or affirm that:

1. I am a representative of the above-noted party (the "Party") and as such have knowledge of the matters attested to herein.
2. I have examined all of the documentation in support of this cost claim, including the attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed".
3. The attached "Summary of Fees and Disbursements Being Claimed", "Statement(s) of Fees Being Claimed" and "Statement(s) of Disbursements Being Claimed" include only costs incurred and time spent directly for the purposes of the Party's participation in the Ontario Energy Board process referred to above.
4. This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in sections 6.05 and 6.09 of the Board's Practice Direction on Cost Awards.

Signature of Affiant

Sworn or affirmed before me at the City/Town of **Toronto**,
in the Province/State of **Ontario**, on _____, (date)

Ontario Energy Board
COST CLAIM FOR HEARINGS



Affidavit and Summary of Fees and Disbursements

Commissioner for taking Affidavits

File # EB- 2019-0271

Process: Enbridge 2021 DSM Extension

Party: School Energy Coalition

Summary of Fees and Disbursements Being Claimed

Legal/consultant/other fees	\$	11,385.00
Disbursements	\$	-
HST	\$	1,480.05
Total Cost Claim	\$	12,865.05

Payment Information

Make cheque payable to: Shepherd Rubenstein Professional Corporation, in trust

Send payment to this address: 2200 Yonge Street
Suite 1302
Toronto, Ontario
M4S2C6

Ontario Energy Board

COST CLAIM FOR HEARINGS



Detail of Fees and Disbursements Being Claimed

File # EB- <u>2019-0271</u>	Process: <u>Enbridge 2021 DSM Extension</u>
Party: <u>School Energy Coalition</u>	Service Provider Name: <u>Jay Shepherd</u>

SERVICE PROVIDER TYPE (check one)	Year Called to Bar	Completed Years Practising/Years of Relevant Experience
Legal Counsel <input checked="" type="checkbox"/>	1980	40
Articling Student/Paralegal <input type="checkbox"/>		
Consultant <input type="checkbox"/>		Hourly Rate: \$330
Analyst <input type="checkbox"/>		
For Consultant/Analyst: <input type="checkbox"/> CV attached		HST Rate Charged (enter %): 13.0%
<input type="checkbox"/> CV provided within previous 24 months		

Statement of Fees Being Claimed					
	Hours	Hourly Rate	Subtotal	HST	Total
Pre-hearing Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Technical Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Interrogatories					
Preparation	8.7	\$ 330.00	\$ 2,871.00	\$ 373.23	\$ 3,244.23
Responses	12.4	\$ 330.00	\$ 4,092.00	\$ 531.96	\$ 4,623.96
Issues Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
ADR - Settlement Conference					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Proposal Preparation		\$ 330.00	\$ -	\$ -	\$ -
Argument					
Preparation	13.4	\$ 330.00	\$ 4,422.00	\$ 574.86	\$ 4,996.86
Oral Hearing					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Other Conferences					
Preparation		\$ 330.00	\$ -	\$ -	\$ -
Attendance		\$ 330.00	\$ -	\$ -	\$ -
Case Management		\$ 170.00	\$ -	\$ -	\$ -
TOTAL SERVICE PROVIDER FEES			\$ 11,385.00	\$ 1,480.05	\$ 12,865.05

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



File # EB- 2019-0271

Process: Enbridge 2021 DSM Extension

Party: School Energy Coalition

Service Provider Name: Jay Shepherd

Statement of Disbursements Being Claimed			
	Net Cost	HST	Total
Scanning/Photocopy			\$ -
Printing		\$ -	\$ -
Courier			\$ -
Telephone/Fax			\$ -
Transcripts			\$ -
Travel: Air			\$ -
Travel: Car			\$ -
Travel: Rail			\$ -
Travel (Other):			\$ -
Parking			\$ -
Taxi			\$ -
Accommodation			\$ -
Meals			\$ -
Other:			\$ -
Other:			\$ -
Other:			\$ -
TOTAL DISBURSEMENTS:	\$ -	\$ -	\$ -

Ontario Energy Board
COST CLAIM FOR HEARINGS
Detail of Fees and Disbursements Being Claimed



Date	Explanation	Lwyr	Hours
20191201	Many emails	JCS	0.2
20191209	Review correspondence from others	JCS	0.2
20191218	Review Application and Notice	JCS	0.4
20200116	Review evidence for interrogatories	JCS	1
20200122	Many emails, Draft and file Notice of Intervention, Review prior positions	JCS	0.5
20200224	Review PO#1 and scheduling	JCS	0.3
20200310	Review PP and ED interrogatories, Review evidence	JCS	0.6
20200311	Background research, Draft and file interrogatories, Many emails	JCS	4.1
20200313	Review IRs of others	JCS	0.4
20200316	Review IRs of others, Review early access application	JCS	0.6
20200317	Follow up email re pandemic impacts	JCS	0.3
20200403	Review Board letter	JCS	0.1
20200407	Initial review of interrogatory responses	JCS	0.6
20200417	Review GEC materials and IRR	JCS	0.5
20200421	Review PO#2 and rescheduling	JCS	0.3
20200424	Review interrogatory responses, Review EGI submissions, Draft letter	JCS	5.4
20200425	Analysis of IR responses	JCS	2
20200428	Revise and file motion submissions, Review GEC submissions	JCS	0.9
20200514	Review PO#3, decision on motion and scheduling	JCS	0.4
20200525	Review updated materials, Review Argument in Chief, Many emails	JCS	1.2
20200529	Review correspondence, Many emails	JCS	0.4
20200601	Review PO#4 and scheduling	JCS	0.3
20200602	Review additional materials, Outline argument	JCS	0.4
20200603	Review EP argument	JCS	0.4
20200605	Telephone conversation with Chris Neme, Review previous decisions, Argument prep	JCS	1.1
20200606	Review Argument In Chief, Review HER programs and results	JCS	0.3
20200607	Many emails re HER	JCS	0.2
20200611	Review submissions of GEC and ED	JCS	1.3
20200612	Review evidence, Draft, revise and file Final Argument, Review submissions of others, Many emails	JCS	7.7
20200615	Review additional Final Arguments	JCS	0.8
20200626	Review reply submissions	JCS	1.2
20200716	Review decision and reporting	JCS	0.4
			34.5